

UNITED STATES DISTRICT COURT  
for the  
Eastern District of Texas

ADIDAS AG, ADIDAS INTERNATIONAL )  
MARKETING B.V., ADIDAS AMERICA, INC. and )  
RUNTASTIC GMBH )  
\_\_\_\_\_  
Plaintiff(s) )  
v. ) Civil Action No. 2:22-cv-00198  
NIKE, INC. )  
\_\_\_\_\_  
Defendant(s) )

**SUMMONS IN A CIVIL ACTION**

To: (Defendant's name and address)

Nike, Inc.  
c/o United Agent Group, Inc.  
5444 Westheimer Road, Suite 1000  
Houston, Texas 77056

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Melissa R. Smith  
Gilliam & Smith LLP  
303 South Washington Avenue  
Marshall, Texas 75670  
903-934-8450  
melissa@gillamsmithlaw.com

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Date: 6/10/22



CLERK OF COURT

David A. O'Toole

*Signature of Clerk or Deputy Clerk*

Civil Action No. 2:22-cv-00198

**PROOF OF SERVICE***(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*This summons for *(name of individual and title, if any)*was received by me on *(date)* I personally served the summons on the individual at *(place)*on *(date)* \_\_\_\_\_ ; or*Affidavit  
Attached* I left the summons at the individual's residence or usual place of abode with *(name)*

, a person of suitable age and discretion who resides there,

on *(date)* \_\_\_\_\_, and mailed a copy to the individual's last known address; or I served the summons on *(name of individual)* \_\_\_\_\_, who isdesignated by law to accept service of process on behalf of *(name of organization)* \_\_\_\_\_on *(date)* \_\_\_\_\_ ; or I returned the summons unexecuted because \_\_\_\_\_ ; or Other *(specify)*: \_\_\_\_\_*Affidavit  
Attached*

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ 0.00 .

I declare under penalty of perjury that this information is true.

Date: \_\_\_\_\_

*Server's signature**Affidavit  
Attached**Printed name and title**Server's address*

Additional information regarding attempted service, etc:

**AFFIDAVIT OF SERVICE**

**UNITED STATES DISTRICT COURT  
Eastern District of Texas**

Case Number: 2:22-CV-00198

Plaintiff:

**ADIDAS AG;  
ADIDAS INTERNATIONAL MARKETING B.V.;  
ADIDAS AMERICA, INC.; and  
RUNTASTIC GMBH**

vs.

Defendant:  
**NIKE, Inc.**

For:

**Melissa R. Smith  
Gillam & Smith, L.L.P.  
102 N College  
Suite 800  
Tyler, TX 75702**

Received by Collins Investigations on the 10th day of June, 2022 at 2:16 pm to be served on **Nike, Inc. c/o United Agent Group, Inc, 5444 Westheimer Road, Suite 1000, Houston, Harris County, TX 77056**.

I, Carol Agnew, being duly sworn, depose and say that on the 13th day of June, 2022 at 11:58 am, I:

Executed service by hand delivering a true copy of the **Summons in a Civil Action, Copy of Complaint For Patent Infringement; Corporate Disclosure Statement; Demand for Jury Trial; Notice of Filing of Patent Trademark Form; and Civil Case Cover Sheet**, to: **Alyssa Alejandro personally as Authorized Acceptance Agent** at the address of: **5444 Westheimer Road, Suite 1000, Houston, Harris County, TX 77056**, who is authorized to accept service for **Nike, Inc.**, and informed said person of the contents therein, in compliance with state statutes.

"I certify that I am over the age of 18, have no interest in the above action, and am a Certified Process Server in good standing in the judicial circuit in which the process was served. I have personal knowledge of the facts set forth in this affidavit, and they are true and correct."

Subscribed and Sworn to before me on the 15th day of June, 2022 by the affiant who is personally known to me.

*Robert David Baker*  
NOTARY PUBLIC

*Carol Agnew*

**Carol Agnew  
psc-3025 Exp 8/31/2023**

**Collins Investigations  
110 N College  
Suite 1002  
Tyler, TX 75702  
(903) 526-1411**

Our Job Serial Number: **ONT-2022003427**

